

Introduced by Senator Cox

February 9, 2005

An act to amend Section 51350 of the Government Code, relating to local government.

LEGISLATIVE COUNSEL'S DIGEST

SB 182, as introduced, Cox. County contracts: governmental services.

Existing law authorizes a county to provide governmental services to a city by contract and to charge the city for all the costs incurred in providing those services.

This bill would make a clarifying change in that authority.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 51350 of the Government Code is
2 amended to read:
3 51350. A county ~~which~~*that* provides services through its
4 appropriate departments, *agencies*, boards, commissions,
5 officers, or employees; to any city pursuant to contract or as
6 authorized by law; shall charge the city all those costs ~~which~~*that*
7 are incurred in providing the services so contracted or authorized.
8 A county ~~shall~~*may* not charge a city contracting for a particular
9 service, either as a direct or an indirect overhead charge, any
10 portion of those costs ~~which~~*that* are attributable to services made
11 available to all portions of the county, as determined by
12 resolution of the board of supervisors, or ~~which~~*that* are general
13 overhead costs of operation of the county government. General

1 overhead costs, for the purpose of this section, are those costs
2 ~~which~~*that* a county would incur regardless of whether or not it
3 provided a service under contract to a city.

4 Any determination of general overhead costs shall be subject to
5 court review as to the reasonableness of ~~such~~*the* determination.

6 This section does not apply to a contract or agreement in effect
7 on December 31, 1983, made by a county.